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11 Attorneys for Defendants/Counterplaintiffs/Third Party Plaintiffs
12 The Eljen Group, LLC,
Elven E. Jennings, Jack Elkins,
Frank Lente and Steve Harper

13
14 UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

15 NO. 8 MINE, LLC,

16 Plaintiff,

17 v.

Case No.: 3:18-cv-00028-WGC

18 THE ELJEN GROUP, LLC,
ELVEN E. JENNINGS, JACK ELKINS,
FRANK LENTE, AND STEVE HARPER,

Case No.: 3:18-cv-00104-WGC

20 Defendants.

STIPULATED
PRELIMINARY INJUNCTION

21
22 THE ELJEN GROUP, LLC, ELVEN E.
JENNINGS, JACK ELKINS, FRANK
LENTE, AND STEVE HARPER

24 CounterPlaintiffs,

25 v.

26 NO. 8 MINE, LLC
CounterDefendant.

1 THE ELJEN GROUP, LLC, ELVEN E.
2 JENNINGS, JACK ELKINS, FRANK
3 LENTE, AND STEVE HARPER

3 Third Party Plaintiffs,
4 v.

5 DAVID TACKETT, ARGENT ASSET
6 GROUP, LLC, and ROBERT HIGGINS,

7 Third Party Defendants.

8 This matter having come to be heard on Defendants/Counterplaintiffs The Eljen
9 Group, LLC's, Elven E. Jennings', Jack Elkins', Frank Lente's and Steve Harper's Motion for
10 Preliminary Injunction [ECF No. 69 in Case No.: 3:18-cv-00104-WGC] and in
11 Plaintiff/Counterdefendant No. 8 Mine, LLC and Counterdefendant David Tackett's
12 opposition to the Motion for Preliminary Injunction [ECF No. 78 in Case No.: 3:18-cv-00104-
13 WGC], which requested entry of a reciprocal preliminary injunction, and the Court having
14 considered the parties' respective motions and the arguments of counsel at the June 18, 2019
15 telephonic conference [Minutes recorded at ECF No. 93 in Case No.: 3:18-cv-00104-WGC],
16 and legal counsel for Daniel Harrington, Pamela Harrington, and Nightwatch Marine, LLC
17 having advised the Court at the June 18, 2019 telephonic conference of their concurrence in a
18 global preliminary injunction, and the Court having been advised by the Parties that all Parties
19 identified herein stipulate to the entry of a global preliminary injunction, the Parties hereby
20 stipulate and agree as follows:

21 No. 8 Mine, LLC, David Tackett, The Eljen Group, LLC, Elven Jennings, Jack
22 Elkins, Frank Lente, Steve Harper, Daniel Harrington, Pamela Harrington and Nightwatch
23 Marine, LLC shall not dispossess any of the No. 8 Turquoise or Silver Bars in dispute in Case
24 No. 3:18-cv-00028-WGC and Case No. 3:18-cv-00104-WGC until further order of this
25 Court. For purposes of this Order, "No. 8 Turquoise or Silver Bars in dispute" shall be
26 defined to be:

27 (i) the Number 8 Turquoise previously held in a Sparks, Nevada warehouse
28 and/or at the storage facility at Mr. Jennings' home which was subject to Purchase Agreement

1 No. 1, [ECF No. 69-4 in Case No.: 3:18-cv-00104-WGC];

2 (ii) the Number 8 Turquoise previously held in a Winnemucca, Nevada warehouse
3 which the subject of Purchase Agreement No. 2 [ECF No. 69-5 in Case No.: 3:18-cv-00104-
4 WGC];

5 (iii) the Turquoise Ore received by David Tackett from Daniel Harrington and
6 Pamella Harrington in or about August, 2017 that is currently in David Tackett's possession;

7 (iv) any Turquoise Ore that is in the possession of Daniel Harrington, Pamella
8 Harrington and/or Nightwatch Marine, LLC;

9 (v) the Number 8 Turquoise acquired by No. 8 Mine, LLC/David Tackett from
10 Paul Sugar, Sr. and/or Paul Sugar, Jr.; and

11 (vi) any silver bars delivered by Argent Asset Group, LLC to the parties, whether
12 directly or indirectly, on or after July 13, 2017, except that this injunction shall not apply to
13 silver bars of a value \$50,000 or less in the possession of Elven Jennings to allow for use for
14 personal expenses.

15 This Order shall not prohibit the Parties from receiving, performing stabilization
16 services, and/or returning to stabilization customers turquoise that is not "No. 8 Turquoise and
17 Silver Bars in dispute" as defined in the preceding paragraph.

18 No Party is required to post a bond at this time.

19 The hearing scheduled for August 8, 2019 is hereby vacated.

20 DATED this 7th day of August, 2019.

21 DICKINSON WRIGHT PLLC

22 /s/ Brian R. Irvine

BRIAN R. IRVINE

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DATED this 7th day of August, 2019.

FABIAN VANCOTT

/s/ Jeffrey B. Setness

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No. 8 Mine, LLC and Counter
Defendant/Third Party Defendants David
Tackett in Case No. 3:18-CV-00104-WGC

28 Attorneys for Plaintiffs Daniel Harrington,
Pamella Harrington, and Nightwatch Marine,
LLC in Case No. 3:18-cv-00028

1 DATED this 7th day of August, 2019.

2 SMIDT, REIST & KELEHER

4 /s/ Michael Carrico

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DATED this 7th day of August, 2019.

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4 /s/ Dane Anderson

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10 *E. Jennings, Jack Elkins, Frank Lente and*
11 *Steve Harper, Defendants/Counter*
Plaintiffs/Third-Party Plaintiffs in Case
12 *No. 3:18-CV-00104-WGC*

14 * * *

15 **ORDER**

16 IT IS SO ORDERED.

17 DATED this 8th day of August 2019.

19 William G. Cobb

20 THE HONORABLE WILLIAM G. COBB
21 UNITED STATES MAGISTRATE JUDGE